



Atty Docket No. 019287-0317271 (previously, C0441/7159)

U.S. Application No. 09/577,225

Response to Restriction Requirement

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION OF

Lundy LEWIS

Appln. No.: 09/577,225

Filed: May 23, 2000

Title: METHOD AND APPARATUS FOR SERVICE LEVEL MANAGEMENT (SLM)

Confirmation No.: 4215

Group Art Unit: 3629

Examiner: Tan D. Nguyen

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

Sir:

In reply to the Office Action dated July 14, 2005, applicant hereby provisionally elects the invention of item I, claims 1-6, 10-13, and 30-33. This election is made with traverse.

REMARKS

Claims 1-6, 10-13, 19, 21-27 and 30-33 are pending in this application.

Applicant respectfully submits that the subject matter of item I and item II are sufficiently related that a thorough search and examination of any one claim set would necessarily encompass the search and examination of the remaining claims.

Furthermore, applicant respectfully submits that the search and examination of the entire application can be conducted without serious burden, and that the criteria for a proper requirement for restriction between patentably distinct inventions has not been met. Indeed, MPEP § 803 clearly states that "[i]f the search and examination of the entire application can be made without serious burden, the examiner must examine it on its merits, even though it includes claims to distinct or independent inventions" (emphasis added). Applicant submits that this policy should apply in the present application in order to avoid unnecessary delay and expense to applicant and duplicative examination by the U.S. Patent and Trademark Office. Applicant respectfully